

The Honorable Jamal N. Whitehead

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DEJAVUAI, INC., a Washington corporation,

Plaintiff,

v.

FYODOR “TED” KAPUSTIN aka FYDOR
“TED” KAPUSTINE, an individual,

Defendant.

No. 2:25-cv-00915

DECLARATION OF JEFF BENSON IN
SUPPORT OF PLAINTIFF’S
EMERGENCY MOTION FOR ORDER
TO SHOW CAUSE RE CONTEMPT
AND/OR OTHER SANCTIONS

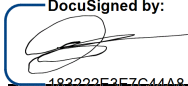
I, Jeff Benson, declare as follows:

1. I am over the age of 18. Unless otherwise stated, I have personal knowledge of the facts set forth herein and, if sworn as a witness, could and would testify competently thereto.
2. I am an employee of DejaVuAI, Inc. (“DejaVuAI”), currently serving as its Chief of Staff. I am also an investor in DejaVuAI.
3. In my capacity as DejaVuAI’s Chief of Staff, I previously worked with Fyodor Kasputin, who was DejaVuAI’s Chief Technology Officer. I learned Mr. Kapustin’s personal cell phone number during that time and saved it as a contact in my personal cell phone.
4. From June 1 to June 5, 2025, I went on a retreat, during which I kept my cell phone turned off.

- 1 5. When I turned my cell phone back on at the conclusion of the retreat, I received two text
 2 messages that Mr. Kapustin had sent me while my cell phone was turned off. A true and
 3 correct copy of a screenshot of those text messages is attached hereto as Exhibit A.
- 4 6. The first text message was listed as having been sent by Mr. Kapustin on June 2, 2025. It
 5 stated "I'll put your asshole brother in prison if he does not withdraw his court filing. He
 6 faces 10 years." From context, I understood Mr. Kapustin to be referring to Johnny Kessler,
 7 the Chief Executive Officer of DejaVuAI, Inc. Mr. Kessler is not my brother. I do not know
 8 why Mr. Kapustin mistakenly believes Mr. Kessler is my brother.
- 9 7. The second text message was listed as having been sent by Mr. Kapustin on June 4, 2025.
 10 It again referenced putting Mr. Kessler in prison, stating "I think it's actually 15 years, not
 11 10."

12 I declare under penalty of perjury under the laws of the United States of America that the
 13 foregoing is true and correct.

14 Executed this 10.00 day of June, 2025, in Salt Lake City, UT.

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18 By: 
 19 Jeff Benson
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